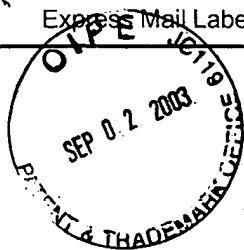


Docket No.  
50012-00004

# Declaration For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD, SYSTEM, AND APPARATUS FOR HANDLING,  
LABELING, FILLING AND CAPPING SYRINGES**

the specification of which

**RECEIVED**

**SEP 09 2003**

(check one)

TECHNOLOGY CENTER R3700

☐ is attached hereto.

☒ was filed on August 10, 2001 as United States Application No. or PCT International

Application Number 09/928,007

and was amended on August 8, 2003

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior applications and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

**August 10, 2001**

(Filing Date)

(Filing Date)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	
Brian Eugene Baldwin	
Sole or first inventor's signature	Date
<i>Brian Eugene Baldwin</i>	8/13/03
Residence	
7891 S. Argonne Street, Centennial, CO 80016	
Citizenship	
U.S.A.	
Post Office Address	

Full name of second inventor, if any	
Jason Conrad Morton	
Second inventor's signature	Date
<i>Jason Conrad Morton</i>	August 13, 2003
Residence	
8976 South Sanderling Way, Littleton, CO 80126	
Citizenship	
U.S.A.	
Post Office Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 19, 2001

MARSH FISCHMANN & BREYFOGLE, LLP  
THOMAS R. MARSH, ESQ.  
3151 S. VAUGHN WAY  
SUITE 411  
AURORA, CO 80014

PTAS

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\*101816186A\*

OCT 25 2001

MARSH FISCHMANN & BREYFOGLE LLP

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/10/2001

REEL/FRAME: 012076/0088  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

BALDWIN, BRIAN EUGENE

DOC DATE: 08/10/2001

ASSIGNOR:

MANCUSO, II., ROBERT EUGENE

DOC DATE: 08/10/2001

ASSIGNOR:

PAGE, JON PAUL

DOC DATE: 08/10/2001

ASSIGNEE:

BAXA CORPORATION  
13760 EAST ARAPAHOE ROAD  
ENGLEWOOD, COLORADO 80112

SERIAL NUMBER: 09928007  
PATENT NUMBER:

FILING DATE: 08/10/2001  
ISSUE DATE:

012076/0088 PAGE 2

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

08-20-2001

Packet No.: 50012-00004

T U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



101816186

Tab settings

To the Honorable Commissioner of Patents and Trademarks attached original documents or copy thereof.

1. Name of conveying party(ies):

Brian Eugene Baldwin  
Robert Eugene Mancuso, II  
Jon Paul Page

08/10/01

Additional names(s) of conveying party(ies) ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: August 10, 2001

2. Name and address of receiving party(ies):

Name: Baxa Corporation

Internal Address:

Street Address: 13760 East Arapahoe Road

City: Englewood State: CO ZIP: 80112

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration numbers(s):

If this document is being filed together with a new application, the execution date of the application is: August 10, 2001

A. Patent Application No.(s)

B. Patent No.(s)

Not Yet Assigned

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas R. Marsh, Esq.

Internal Address: MARSH FISCHMANN &

BREYFOGLE, LLP

08/17/2001 610M11 00000173 09928007

01 FC:581

40.00 UP

Street Address: 3151 S. Vaughn Way

Suite 411

City: Aurora State: CO ZIP: 80014

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

50-1419

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas R. Marsh

Name of Person Signing

Signature

August 10, 2001

Date

Total number of pages including cover sheet, attachments, and document:

3

## ASSIGNMENT

WHEREAS, we, Brian Eugene Baldwin of 7891 S. Argonne Street, Centennial, CO 80016, Robert Eugene Mancuso, II of 36059 Winchester Road, Elizabeth, CO 80107, and Jon Paul Page of 1642 Hemlock Way, Broomfield, CO 80020, have invented a certain new and useful invention entitled "METHOD, SYSTEM AND APPARATUS FOR HANDLING, LABELING, FILING AND CAPPING SYRINGES", for which an application for Letters Patent of the United States has been prepared for filing, said application being identified as Attorney File No. 50012-00004 and executed on even date herewith.

NOW THEREFORE, be it known that we, the said inventors, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, Baxa Corporation, a Colorado corporation having a place of business at 13760 East Arapahoe Road, Englewood, CO 80112-3903, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; we warrant that we have made no assignment of the invention, application or patent therefor to a party other than Baxa Corporation and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to Baxa Corporation, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: August 10, 2001

By: Brian Eugene Baldwin  
Brian Eugene Baldwin

Date: August 10, 2001

By: Robert Eugene Mancuso, II  
Robert Eugene Mancuso, II

Date: August 10, 2001

By: Jon Paul Page  
Jon Paul Page

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

Before me, a Notary Public in and for said County and State, personally appeared Brian Eugene Baldwin, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 10 day of August, 2001.

Valerie L. Perry  
Notary Public

My Commission Expires January 20, 2005

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

Before me, a Notary Public in and for said County and State, personally appeared Robert Eugene Mancuso, II, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 10 day of August, 2001.

Valerie L. Perry  
Notary Public

My Commission Expires January 20, 2005

STATE OF Colorado )  
 ) ss.  
COUNTY OF Denver )

Before me, a Notary Public in and for said County and State, personally appeared Jon Paul Page known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 10 day of August, 2001.

Valerie L. Perry  
Notary Public

My Commission Expires January 20, 2005



## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

## PATENTS ONLY

Tab settings → → →

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

**Brian Eugene Baldwin**  
**Jason Conrad Morton**

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ OtherExecution Date: August 13, 2003

## 2. Name and address of receiving party(ies):

Name: Baxa Corporation

Internal Address: \_\_\_\_\_

Street Address: 14445 Grasslands DriveCity: Englewood State: CO ZIP: 80112Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

09/928,007

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Thomas R. Marsh, Esq.

Internal Address: \_\_\_\_\_

MARSH FISCHMANN & BREYFOGLE LLPStreet Address: 3151 South Vaughn Way, Suite 411City: Aurora State: CO ZIP: 80014

## 6. Total number of applications and patents involved:

17. Total fee (37 CFR 3.41):.....\$ 40.00☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

50-1419

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Thomas R. Marsh, Esq.August 26, 2003

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

3

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignment Recordation Services

Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450

## ASSIGNMENT

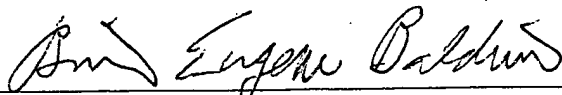
WHEREAS, we, **Brian Eugene Baldwin**, residing at 7891 South Argonne Street, Centennial, Colorado 80016, and **Jason Conrad Morton**, residing at 8976 South Sanderling Way, Littleton, Colorado 80126, have invented a certain new and useful invention entitled "METHOD, SYSTEM AND APPARATUS FOR HANDLING, LABELING, FILLING AND CAPPING SYRINGES", for which an application for Letters Patent of the United States has been prepared and filed on August 10, 2001, receiving Serial No. 09/928,007, and further identified as Attorney File No. **50012-00004**.

NOW THEREFORE, be it known that we, the said inventors, for and in consideration of certain good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged, at the request of the assignee do sell, assign and transfer unto said assignee, **Baxa Corporation**, a Colorado corporation having a place of business at 14445 Grasslands Drive, Englewood, Colorado 80112, its successors, legal representatives and assigns, the aforesaid application for the territory of the United States of America and all continuation, divisional, continuation-in-part and reissue applications, all patent applications in foreign countries, all applications pursuant to the Patent Cooperation Treaty, and all applications for extension filed or to be filed for the invention, and all Letters Patent, Invention Registrations, Utility Models, Extensions or Reissues and other patent rights, obtained for the invention in the United States or any other country; we also assign any right, title or interest in and to the invention which has not already been transferred to the assignee; we warrant that we have made no assignment of the invention, application or patent therefor to a party other than **Baxa Corporation** and we are under no obligation to make any assignment of the invention, application, or patent therefor to any other party; and we further agree to cooperate with the assignee hereunder in the obtaining and sustaining of any and all such Letters Patent and in confirming assignee's exclusive ownership of the invention, but at the expense of said assignee.

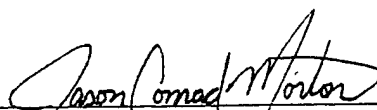
The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with the terms of this Assignment, to **Baxa Corporation**, its successors, legal representatives and assigns, as the assignee of the entire right, title and interest therein.

IN WITNESS WHEREOF, the parties hereto have executed this Assignment as of the date indicated hereunder.

Date: 8-13-03

By:   
**Brian Eugene Baldwin**

Date: AUGUST 13, 2003

By:   
**Jason Conrad Morton**

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

Before me, a Notary Public in and for said County and State, personally appeared **Brian Eugene Baldwin**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 13<sup>th</sup> day of August, 2003.

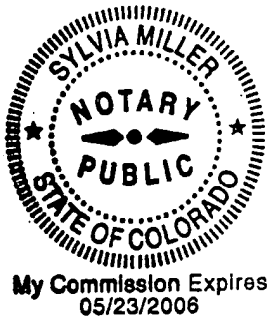


Sylvia Miller  
Notary Public Sylvia Miller  
My Commission Expires: 5/23/06

STATE OF Colorado )  
 ) ss.  
COUNTY OF Arapahoe )

Before me, a Notary Public in and for said County and State, personally appeared **Jason Conrad Morton**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 13<sup>th</sup> day of August, 2003.



Sylvia Miller  
Notary Public Sylvia Miller  
My Commission Expires: 5/23/06

Attorney: TRM/mlw

Date: August 26, 2003

PTO Stamp indicates receipt of: ☒ Patent Matter ☐ Trademark Matter

Atty. Docket No.: 50012-00004

Inventor(s): Brian Eugene Baldwin et al.

Title: METHOD, SYSTEM, AND APPARATUS FOR HANDLING,  
LABELING, FILLING AND CAPPING SYRINGES

Serial No.: 09/928,007

Filed Date: August 10, 2001

☒ Certificate of Mailing

☐ Express Mail No.: n/a

☒ Check in the amount of: \$40.00 (#3236)

☐ Page(s) in Specification

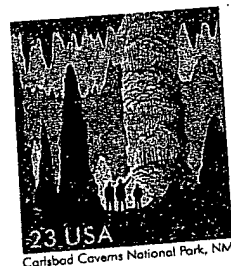
☐ Page(s) in Claims

☐ Page(s) in Abstract

☐ Sheet(s) of Drawings

DOCUMENT(S) SENT TO PTO:

1. Recordation Sheet (1pg); and,
2. Assignment (2 pgs).



**Marsh Fischmann & Breyfogle LLP**  
Attorneys at Law

3151 South Vaughn Way, Suite 411  
Aurora, CO 80014